

Green, LindaE

From: Kendall Taggart <kendall.taggart@buzzfeed.com>
Sent: Wednesday, January 25, 2017 6:35 PM
To: FOIA HQ
Subject: FOIA request regarding changes to website content
Attachments: FOIA_EPA_WebsiteChanges_1.25.2017.pdf

Good afternoon,

Please see the attached FOIA request. If I can help clarify, please don't hesitate to contact me. My office number is 646.589.8582.

Best,

Kendall

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Kendall Taggart | BuzzFeed News | Reporter | cell: 646.589.8582 | @KendallTTaggart

To get in touch with me more securely:

* Signal (617.851.1379)

* Snail mail: BuzzFeed News, Attn: Kendall Taggart, 111 E. 18th St., Newsroom, New York, NY, 10003

* PGP Key: 4148 BEAD 45CF E7D3 84CC F602 ABF3 469D E2F7 D8A0

Here's more information on how to send us tips: contact.buzzfeed.com

BuzzFeed NEWS

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FOIA Officer
Environmental Protection Agency
National Headquarters
1200 Pennsylvania Avenue, NW
Environmental Protection Agency, (2822T)
Washington, DC 20460
Via email: hq.foia@epa.gov

January 25, 2017

Good afternoon,

This is a request for records under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552.

Pursuant to the act, on behalf of myself and BuzzFeed News, I request copies of and the opportunity to inspect records held by the following offices: Office of Research and Development, Office of Public Affairs, Office of General Counsel, and Office of Administration and Resources Management.

- All emails from, to, cc'ed, bcc'ed or forwarded by EPA staff in these offices regarding plans to take down or alter the agency's website content. This includes but is not limited to emails from members of the so-called "beach team" working to transition the agency to the Trump administration (i.e. Doug Ericksen, who discussed his work on this issue with [The Hill](#), and Myron Ebell).
- All proposals, reports, or memorandums written by or received EPA staff in these offices regarding plans to take down or alter the agency's website content.

Please limit your search to records received by staff in these four offices between January 18, 2017 through February 18, 2017 or the date the search for records is conducted, whichever is earlier.

I request that this information be provided as electronic records, rather than paper copies.

EXPEDITED PROCESSING

Under 28 C.F.R. 16.5(d)(1)(iv), a request is to be given expedited processing when it involves "[a] matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence." I am seeking expedited treatment for this request.

- This request clearly involves a matter of widespread and exceptional media interest. Questions about how the new administration plans to change the website have been reported on by [The Hill](#), [Reuters](#), the [Associated Press](#), [HuffPo](#), and [Inside EPA](#) among others.

- The subject matter of the request clearly involves possible questions about the government's integrity which affect public confidence. An EPA staffer told [Reuters](#), "If the website goes dark, years of work we have done on climate change will disappear." Reuters also reported, "The order comes as Trump's administration has moved to curb the flow of information from several government agencies who oversee environmental issues since last week, in actions that appeared designed to tighten control and discourage dissenting views."

Although expedited processing is clearly warranted under 28 C.F.R. 16.5(d)(1)(iv), it is alternatively proper under 28 C.F.R. 16.5(d)(1)(ii) which provides for expedited processing when there exists "[a]n urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information."

- I am member of the news team at BuzzFeed, which a proven track record of disseminating information to the general public.

FEE WAIVER

I am willing to pay any reasonable expenses associated with this request, however, as the purpose of the requested disclosure is in full conformity with the statutory requirements for a waiver of fees, I formally request such a waiver. I request a waiver of all costs pursuant to 5 U.S.C. §552(a)(4)(A)(iii) ("Documents shall be furnished without any charge ... if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester."). Disclosure in this case meets the statutory criteria, and a fee waiver would fulfill Congress's legislative intent in amending FOIA. See *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1312 (D.C. Cir. 2003) ("Congress amended FOIA to ensure that it be 'liberally construed in favor of waivers for noncommercial requesters.'"). I incorporate by reference the explanation and attached materials in the above sections which demonstrates why the requested information is in the public interest.

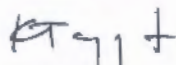
If you determine that any responsive documents or fields in the data are exempt from disclosure, please identify those documents and fields, specify the statutes that exempt them, and release all other segregable parts.

If a portion of the responsive records becomes available before the entire request has been completed, please providing rolling releases to facilitate prompt access to the requested information. (Pursuant to OIP guidelines for FOIA Officers:
<https://www.justice.gov/oip/blog/foia-guidance-12>)

I look forward to your reply within 10 business days, as the statute requires. Please let me know if there are any clarifications I can provide to make this request easier and/or quicker to complete. My email address and phone numbers are listed above.

I affirm that the information provided above, including information applicable to my request for expedited processing, is true and correct to the best of my knowledge and belief.

Thank you for your time and attention to this request,



Kendall Taggart